

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Request for Review of a Decision of the) CC Docket No. 02-6
Universal Service Administration Corp. for)
Northwood Local School District) Administrator Correspondence Dated
Northwood, OH) October 24, 2012
)

Request for Review or Waiver

In accordance with sections 54.719 through 54.721 of the Commission's rules, Northwood Local School District, Northwood, OH (Northwood) requests Federal Communications Commission (Commission) review of a decision of the Schools and Libraries Division of the Universal Service Administrative Company (Administrator).

Applicant Name:	Northwood Local School Dist
Billed Entity Number:	129315
Form 471 Application Number:	835468
Funding Request Numbers:	2270785, 2278509

Background

Northwood applied for E-Rate discounted funding for Telecommunications and Internet services to serve the community of Northwood students, teachers and parents. Northwood has maintained a business relationship and contracts with SchoolWires Inc. (SchoolWires) and Northern Ohio Education Computer Association (NOECA) for several years. Decisions to continue contracts are made, and contracts are regularly signed prior to the end of the calendar year in regular School Board Meetings. E-Rate Form 471 is normally completed in the months that follow. Due to changes in the district and changes in service provided by SchoolWires and NOECA, contracts were signed later than usual for filing year 12-13 in February of 2012. As a result, the filing of Form 471 was erroneously completed 4 days prior to the board meeting. Because the contract was signed after the filing of Form 471, Administrator denied funding for SchoolWires and NOECA services.

Discussion

Due to the closing of a building in the District, and changing needs of students and teachers, changes were made to services of NOECA and SchoolWires with whom Northwood had previous contracts. Unbeknownst at the time of filing the Form 471, the contracts for the next school year were filed 2 months later, in this case, February instead of December. The Filing of Form 471 happened only four days before the contracts were approved by the School Board and signed. NOECA and SchoolWires have maintained contracts with Northwood for years prior, and aside from small changes to services offered, the contracts varied little from the previous year, but enough to warrant language and pricing change. Verbal agreements for the 2012-2013 school year were already in place, on the part of NOECA , SchooWires and Northwood when Form 471 was filed. Because the contracts had to be changed, however, they were received and evaluated by Northwood's School Board members later than the norm, and signed later as a result.

Northwood understands a technical breach of procedure occurred when it filed Form 471 and requested funding for a contract that was not formally in place but this error was not intentional nor was it material, Instead, this was simply an error of timing. Northwood had no intention to circumvent the rules put forth by the Commission in any way. Northwood had nothing to gain by requesting funding for services not yet contracted and had no intention of receiving funds or discounts for services it was not planning to receive. The Commission has waived rules based on errors in filing Form 471 prior to the signing of contracts based on precedent in the Al Noor High School decision (DA 12-1172)¹ as well as DA 12-1771.

Northwood respectfully requests that the FCC waive the contract rule in this matter and restore full funding for these Funding Request Numbers.

Respectfully submitted,

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Bradley Lindquist
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¹ Request for Review of Decision of the Universal Service Administrator by the Al Noor School District, DA 12-1172, CC Docket No. 02-6.